

Beavers
Signature of Sponsor

AMEND Senate Bill No. 1158

House Bill No. 401*

by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 36-5-101(e), is amended by inserting the following as a new, appropriately designated subdivision thereto:

(5) When making a determination of willful and voluntary underemployment or unemployment pursuant to the child support guidelines, the tribunal shall consider the importance and value to a minor child of a parent who does not work full-time in order to provide more in-home care for the minor child. Therefore, in considering whether there should be any imputation of income to a parent who works less than full time, the factors that shall be considered by the tribunal, when calculating support for the minor child or children who are the subject of the order, include, but are not limited to:

(A) Whether the parent worked less than full time in order to care for the child or children while the parents were living in the same household;

(B) The length of time the parent staying at home has remained out of the workforce for this purpose;

(C) Whether, with respect to any of the minor children at issue, the parent worked less than full time;

(D) The age of the minor child or children; and

(E) Specific needs of the minor child or children whereby a greater presence at home by that parent is in the child or children's best interest.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

